

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
ST. JOSEPH DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Criminal Action No.
)	04-06012-01-CR-SJ-SOW
DANIEL L. GADDY,)	
)	
Defendant.)	

ORDER

On September 20, 2004, defendant moved for a judicial determination of mental competency. Defendant was examined by John Wisner, M.D.; Robert Lucking, M.D.; and Angela Walden-Weaver, Ph.D. It is the opinion of those doctors that defendant is competent to stand trial. During a hearing held before United States Magistrate Judge Robert Larsen on September 20, 2004, defendant and the government stipulated to the reports of the doctors named above.

Therefore, with no objections having been filed and after making an independent review of the record, it is hereby

ORDERED that defendant's motion for judicial determination of mental competency is granted, the Report and Recommendation of Magistrate Judge Robert Larsen is adopted in its entirety, and this court finds that defendant is competent to stand trial. It is further

ORDERED that, pursuant to 18 U.S.C. §§ 3161(h)(1)(A) and (h)(4), the time between September 20, 2004, and the date of this order is excluded in computing the time within which the trial of this criminal action must commence. It is further

ORDERED that this case is set for trial on the joint criminal jury trial docket which will commence October 24, 2005.

/s/ Scott O. Wright
SCOTT O. WRIGHT
United States District Judge

Date: 9/23/2005